

Official Minutes for Webb County Commissioners Court Meeting

Monday, February 23, 2004 at 1:00 PM

(Approved 03-08-2004)

- Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Judith Gutierrez	Commissioner, Pct. 2
Felix Velasquez	Commissioner, Pct. 3
David Cortez	Commissioner, Pct. 4

Arrived Late:
Jerry Vasquez Commissioner, Pct. 1

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 20th of February 2004. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2 Roll Call – Margie Ramirez Ibarra, Webb County Clerk

- Item No. 3 Pledge of Allegiance – Led by Cmr. Gutierrez

- Item No. 4 Approval of minutes – February 2, 2004

Cmr. Gutierrez motioned to accept the minutes as presented. Cmr. Velasquez seconded the motion.

Motion carried 4-0 with Cmr. Vasquez not present for voting.

- Item No. 5 Approval of bills, payroll and monthly reports

Cmr. Velasquez motioned to accept the January Treasurer's Report as presented. Cmr. Gutierrez seconded the motion.

Motion carried 4-0 with Cmr. Vasquez not present for voting.

Cmr. Velasquez motioned to move up Item No. 9. Cmr. Gutierrez seconded the motion.

Motion carried 4-0 with Cmr. Vasquez not present for voting.

- Item No. 9 Discussion and possible action to construct a monument with an eternal flame to honor the memory of our fallen hero from the Sheriff's Department, Jose Gerardo "Curly" Herrera. This monument would be built in front of the Courthouse. The funding would be from Capital Outlay, 2003 bond money, fund 660.

Cmr. Velasquez stated that action had taken by the previous Commissioners Court to honor the memory of "Curly" Herrera. Mr. Mario Herrera, father of "Curly" Herrera, stated that they wanted to do this for future generations and because he does not want another family to go through what his family is going through. He stated that the Laredo Police Department has a monument for those police officers who die in the line of duty and feels that the County should have one as well. Cmr. Gutierrez stated that the proper location would be the Courthouse and that it was time that something was done to recognize fallen heroes. Cmr. Velasquez stated that as per his conversations with Mr. Raul Casso and Mr. Carlos Villarreal, the cost of the project would be approximately \$15-20 thousand.

Cmr. Gutierrez motioned to approve project with the total monies to be spent be brought before the court for approval.

Motion carried 4-0 with Cmr. Vasquez not present for voting.

- Item No. 6 Communications

Cmr. Gutierrez reminded everyone that Early Voting was being held and that she hoped that everyone would exercise this important privilege and duty. She congratulated the "Yes, I Will Vote" campaign for their success.

Cmr. Vasquez arrived.

Judge Bruni concurred with Cmr. Gutierrez's comments and requested that Mr. Homero Ramirez, County Attorney, look into the possibility of allowing County employees one (1) hour to go vote and stated that this was done with the City.

Cmr. Velasquez thanked and congratulated the WBCA for the great events that took place during this celebration.

Cmr. Cortez shared Cmr. Velasquez's sentiments and stated that the WBCA did an outstanding job.

- Item No. 7 Public Comment

There were no public comments.

- Item No. 8 Status report regarding progress on the Youth Village Project

Mr. Tomas Rodriguez, County Engineer, advised Court that request for proposals for a new site had already been advertised and has spoken with several interested persons. He stated that the design is on hold pending the selection of the site. Cmr. Cortez recommended that he contact Freer County Cmr. Uribe regarding their new facility that was paid through state monies and is currently only at 50% capacity.

- Item No. 10 Discussion and possible action on the development and submission of an Adult Drug Rehabilitation Court application to the Bureau of Justice Assistance, requesting \$300,000.00 grant and providing \$100,000.00 match (\$75,000.00 In-kind and \$25,000.00 cash) for a three year period beginning October 1, 2004 and authorizing the County Judge to sign all relevant documents.

Cmr. Cortez motioned to approve item with discussion. Cmr. Gutierrez seconded the motion.

Mr. Juan Vargas, Economic Development, stated that this was a three (3) year grant that would start October 1st with the first payment of \$8,000. He stated that by having the grant start in October, it would allow the Court to allocate the cash match in the next budget. He stated that this was a pilot program and Court would not be responsible to keep up project after grant period but that hopefully the track record of this program would make it possible to apply for state monies to continue program. He stated that one (1) intake worker would be hired and that Court sessions would be held at night. Mr. Rafael Moreno, Assistant Director for Adult Probation, stated that intake worker could be housed in his office and court would be held by Judge Manuel Flores, 49th District Court.

Motion carried 5-0 by unanimous consent.

- Item No. 11 Discussion and possible action to authorize a line item transfer in the amount of \$25,000.00 from the Drug Court Fund Balance Account # 227-2985 to Professional Services Account # 227-1021-6022.

Cmr. Cortez motioned to approve item as submitted. Cmr. Velasquez seconded the motion with discussion.

Mr. Raul Casso, County Judge's Chief of Staff, stated that transfer was needed for debts contemplated for the remainder of the budget year. Mr. Leo Flores, County Auditor, stated that last year the same amount was allocated to this line item and was short last year. He stated that this transfer would be to pay bills until the end of the year. He stated that the Drug Court generates its own revenues and has approximately \$200,000 in their budget. Cmr. Velasquez stated for the record that as per Mr. Leo Flores, County Auditor, the monies being transferred today would be the only additional monies needed for this line item for the remainder of the year. Mr. Flores stated that the monies would be used to pay for court-appointed attorneys, court reporters and court interpreters. Cmr. Gutierrez expressed concerns

about paying for these services when each court is assigned a court reporter and interpreter and the Public Defender's office could assist with court appointments.

Cmr. Velasquez withdrew his second. Cmr. Cortez withdrew his motion.

Cmr. Velasquez motioned to defer item until someone from the Drug Court could be present to address the Court's concerns. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 12 Discussion and possible action to modify slot # 2159 (Center-Aide), \$8.75/hr, from part time to regular full time with benefits, effective 2/24/04. Funding comes from the Emergency Food and Shelter Program (Account # 902-4200-5001) and the Community Services Block Grant (Account # 920-4200-5001). [Grant accounts sufficiently funded; No impact on General Fund]

Cmr. Velasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Ms. Cynthia Mares, Community Action Agency Director, stated that the part-time employee is putting in almost full-time hours and would like to modify slot to full-time employee with benefits using grant monies. Mr. Homero Ramirez, County Attorney, stated that the Court could amend the budget on special funds, such as grant monies, as long as approved by the Court. Cmr. Cortez inquired as to how this would affect other part-time employees who were not approved benefits at a previous meeting. Mr. Ramirez stated that there was no relation between this item and the concern raised by Cmr. Cortez and that the court is unable to discuss Cmr. Cortez's concern because it is not on the agenda.

Motion carried 5-0 by unanimous consent.

- Item No. 13 Discussion and possible action to accept 1 right-of-way, out of D-5 Acres Subdivision and 4 out of Lot Ranchitos 359 East Subdivision, 3 out of Los Ranchettes, Inc., Subdivision, 3 out of Pueblo Nuevo Subdivision and 2 out of the Antonio Santos Subdivision and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 14 Discussion and possible action to enter into a contract amendment with Frank Architects, Inc. for Phase III of the Villa Antigua Project being the design (including civil and structural engineering as well as

Mechanical Electrical and Plumbing Engineering) and construction administration of the property located at 810 Zaragoza Street (known as the Montemayor House) and authorizing the architect to proceed with design drawings at a cost of 10% of construction cost and Phase IV of the Villa Antigua Project being the design (including civil and structural engineering as well as Mechanical Electrical and Plumbing Engineering) and construction administration of the property located at 805 Grant street subject to a notice to proceed by Owner and authorizing the County Judge to sign all relevant documents. [Account # 677-8102-8609 Restoration Project]

Comr. Cortez motioned to defer item. Comr. Vasquez seconded the motion with discussion.

Comr. Cortez stated that he has not been informed of this project and requested that the item be deferred until a presentation can be made regarding this project. Comr. Gutierrez stated that there is \$1.5 million available for restoration that was approved several years ago and that the restoration and preservation of historical buildings in downtown Laredo should be a priority and has been an ongoing project for several years. Judge Bruni shared Comr. Cortez's concerns and stated that he would like more information on this project. Comr. Gutierrez stated that in 2005, the city of Laredo will be 250 years old and that the museum restoration is projected for completion for the celebration. Comr. Vasquez stated that there are many worthy projects in Webb County but that it seemed as if the Heritage Foundation continued to get more money and commended Comr. Gutierrez and Mr. Homero Ramirez's interest in keeping Webb County's heritage alive. He stated that the court needed to be careful not to subsidize the wealthy people in Webb County.

Motion failed 2-3 with Judge Bruni, Comr. Gutierrez and Comr. Velasquez voting against.

Comr. Velasquez motioned to approve item as submitted. Comr. Gutierrez seconded the motion.

Comr. Velasquez stated that he did not dispute Comr. Vasquez's concerns but that this was about economic development and bring more tourism to Laredo and Webb County and help those downtown merchants who are struggling. Comr. Cortez requested as a courtesy that the item be deferred so that he can get more information on the project and be able to vote accordingly.

Comr. Velasquez retracted his motion.

Comr. Gutierrez stated for the record that this project is for the community and children to enjoy a museum about their heritage. She stated that this community project and the monies were already approved and that there is a sensitive time frame for this project.

Cmr. Cortez motioned to defer item. Cmr. Vasquez seconded the motion.

Motion carried 3-1 with Cmr. Gutierrez voting against and Judge Bruni abstaining.

- Item No. 15 Discussion and possible action to enter into a one (1) year (February 1, 2004 through January 31, 2005) maintenance agreement with ThyssenKrupp for the maintenance of two (2) ThyssenKrupp Elevators located at the Webb County Administration Building at a monthly cost of THREE HUNDRED DOLLARS (\$300.00) and totaling up to an annual cost of THREE THOUSAND SIX HUNDRED DOLLARS (\$3,600.00), seeking a discretionary exemption to the competitive bidding statute (Local Government Code section 262.024(a)(7) (Sole Source)), and authorizing the County Judge to execute all relevant documents. [Requested by Facilities Director, Account 001-0106-6401 Repairs and Maintenance Buildings]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 16 Discussion and possible action to enter into a one (1) year (March 15, 2004 through March 14, 2005) maintenance agreement with ThyssenKrupp for the maintenance of one (1) Dover Elevator located at the Webb County Courthouse at an annual cost of ONE THOUSAND NINE HUNDRED AND TWENTY DOLLARS (\$1,920.00), seeking a discretionary exemption to the competitive bidding statute (Local Government Code section 262.024(a)(7) (Sole Source)), and authorizing the County Judge to execute all relevant documents. [Requested by Facilities Director, Account 001-0106-6401 Repairs and Maintenance Buildings]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 17 Discussion and possible action to enter into a one (1) year (March 15, 2004 through March 14, 2005) maintenance agreement with ThyssenKrupp for the maintenance of five (5) Dover Elevators located at the Webb County Justice Center at an annual cost of NINE THOUSAND SIX HUNDRED DOLLARS (\$9,600.00), seeking a

discretionary exemption to the competitive bidding statute (Local Government Code section 262.024(a)(7) (Sole Source)), and authorizing the County Judge to execute all relevant documents. [Requested by Facilities Director, Account 001-0106-6401 Repairs and Maintenance Buildings]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 18 Discussion and possible action to enter into an Installation Agreement with ThyssenKrupp Elevator for the installation of "Shunt trip breakers" on the five (5) Dover Elevators located at the Webb County Justice Center for the sum of THIRTEEN THOUSAND NINE HUNDRED AND THIRTY TWO DOLLARS (\$13,932.00), seeking a discretionary exemption to the competitive bidding statute (Local Government Code section 262.024(a)(7) (Sole Source)), and authorizing the County Judge to execute all relevant documents. [Requested by Facilities Director, Account 001-0106-6401 Repairs and Maintenance Buildings]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Mr. Raul Elizondo, Building Maintenance Director, stated that this work needed to be done according to new regulations.

Motion carried 5-0 by unanimous consent.

- Item No. 19 Discussion and possible action to enter into an interlocal agreement with the City of Laredo as Administrator for the Regional Planning Commission for an eighteen month period beginning March 1, 2004 to August 31, 2005 for the provision of 9-1-1 service and public safety answering point equipment and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 3-1 with Cmr. Cortez voting against and Judge Bruni abstaining.

- Item No. 20 Discussion and possible action to enter into Third Party Funding Agreements as follows:
- | | |
|-------------------------|-------------|
| Hotel Motel Association | \$ 5,000.00 |
|-------------------------|-------------|

Laredo Animal Protective Society \$15,000.00
and authorizing the County Judge to execute all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion with discussion.

Ms. Isabel Mendez, Laredo Animal Protective Society, stated that she was never advised that her contract would be cut from \$32,000 to \$15,000 and stated that if the contract was approved for \$15,000, she would not sign or accept it. Cmr. Cortez stated that the \$32,000 contract was a one time thing due to a rabies outbreak. Ms. Mendez stated that the LAPS would not longer accept animals from county areas if the contract was not approved for \$32,000. Judge Bruni requested a list of animals that the LAPS received from Webb County areas. Cmr. Vasquez advised the court that if the LAPS did not accept animals from county areas, the responsibility to house and care for these animals would fall on the sheriff.

Cmr. Velasquez motioned to amend the LAPS contract to \$32,000. Cmr. Vasquez seconded the motion.

Mr. Homero Ramirez, County Attorney, recommended that the court approve the \$15,000 today and the additional \$17,000 at the next meeting with the line item where the additional monies would come from.

Cmr. Velasquez retracted his motion.

Cmr. Velasquez motioned approve item as submitted and to bring item at next meeting for additional \$17,000 for LAPS. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Velasquez stepped out.

Item No. 21 Discussion and possible action authorizing a court order establishing a County Emergency Management Program.

Cmr. Gutierrez motioned to approve item as submitted. Judge Bruni seconded the motion.

Motion carried 4-0 with Cmr. Velasquez not present for voting.

Item No. 22 Discussion and possible action to authorize a public hearing to consider the installation of speed humps in Bruni, Mirando City, Oilton, El Cenizo and Rio Bravo.

Cmr. Gutierrez motioned to approve item as submitted. Judge Bruni seconded the motion.

Motion carried 4-0 with Cmr. Velasquez not present for voting.

- Item No. 23 Discussion and possible action to authorize the Engineering, Self Help Center and Road and Bridge Departments to coordinate and perform the relocation of a fence on the eastern boundary of San Carlos II and the clearing of fifteen feet on the east side of the proposed fence on Ramirez' property, to comply with agreements made with the Ramirez family when they donated a 10 foot by 3,004.71 foot strip of land (0.69 Acres) to meet the 50 foot minimum road state requirement, for a road in Colonia San Carlos II.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 4-0 with Cmr. Velasquez not present for voting.

Cmr. Velasquez returned.

- Item No. 24 Discussion and possible action on the acceptance of the recommendations from the Webb County Housing Assistance Scoring Committee on the following eligible applicants to receive assistance under the Self-Help Center Housing Assistance Grant Programs for Housing Rehabilitation: Mr. & Mrs. Palacios, and Mr. & Mrs. Paiz, from Bruni, Texas.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion with discussion.

Mr. Juan Vargas, Economic Development Director, stated that the following persons serve on the scoring committee: Mr. Homero Ramirez / Mr. Fortunato Paredes (County Attorney's Office), Ms. Cynthia Mares (Community Action Agency), Mr. Juan Vargas (Economic Development), Mr. Oscar Munoz (A & M Colonias Program) and OCI in Austin representative (Mr. Javier Gutierrez has not been replaced). She stated that a large percentage of rehabilitation monies are designated to Rio Bravo and those colonias on Hwy 359 due that area was designated as the target area in 1996. He stated that in order to expand the target area, a petition would need to be submitted to the state. Mr. Homero Ramirez, County Attorney, recommended that the court place an item on the next agenda as to the expanding the target area.

Motion carried 5-0 by unanimous consent.

- Item No. 25 Discussion and possible action to approve a resolution authorizing the filing of a Community Outdoor Outreach Program Grant Application with the Texas Parks and Wildlife Department; and authorizing the County Judge to act as the County's Executive Officer and Authorized

Representative in all matters pertaining to the County's participation in the Community Outdoor Outreach Program.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 26 Discussion and possible action to implement a resolution authorizing and designating eleven (11) parking spaces to be used by voters at the administrative building during the early voting period of the March 9, 2004 joint primary and, if necessary, the April 13, 2004 runoff primary elections in Webb County, Texas.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion with discussion.

Cmr. Cortez requested that the November election be included for this item. Mr. Homero Ramirez, County Attorney, stated that it could if the court articulated "with order."

Cmr. Gutierrez amended motion to accept resolution and order and include November election. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 27 Discussion and possible action to fill slot # 2193, part time substitute (15 hours/week for 10 months) at \$4,646.00, effective February 24, 2004.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Homero Ramirez, County Attorney, requested that the court go into Executive Session for Item No. 38 and No. 42 due out-of-town counsel was present.

Cmr. Velasquez motioned to move into Executive Session on Item No. 38 and No. 42. Cmr. Gutierrez seconded the motion.

EXECUTIVE SESSION (2:43 pm to 3:40 pm)

- Item No. 38 Discussion and possible action regarding Civil Action No. L-02-125; Leticia Hernandez and Deanira Vasquez vs. Webb County, Texas, et al.; in the United States District Court for the Southern District of

Texas, Laredo Division. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Homero Ramirez, County Attorney, stated that this item was for status report only.

- Item No. 42 Discussion and possible action regarding Civil Action No. 01-132; Rosa Saldivar, Individually and on behalf of the Estate of Juan Saldivar, Deceased, Juan Saldivar, Jr. and Rosa Lydia Saldivar vs. Webb County, Texas, and Webb County Sheriff Juan Garza in his Official Capacity; in the United States District Court for the Southern District of Texas, Laredo Division. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071(Consultation with Attorney)]

Mr. Homero Ramirez, County Attorney, stated that this item was for status report only.

- Item No. 28 Discussion and possible action to award/reject the following bids:
1. Bid # 2004-38 "fifty-eight computers and thirteen printers" in the amount of \$81,571.22 from Larry Norton Co. [Fund 660 Capital Outlay Certificates of Obligation Series 2003]
 2. Bid # 2004-39 "IBM parts to upgrade I Series Server I" in the amount of \$25,040.40 from Sirius. [Account # 001-0500-8801 Capital Outlay]
 3. One laptop in the amount of \$2,627.57 from IBM. [Fund 660 Capital Outlay Certificates of Obligation Series 2003]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 29 Discussion and possible action to obtain the services of Holt Co. of Texas in the amount of \$5,466.18 for the repairs of the hydraulic system for the Motorgrader # 10-11 for the Road and Bridge Department. [Account # 010-7002-6402 Repairs and Maintenance Equipment]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion with discussion.

Mr. Jose Luis Rodriguez, Road and Bridge Superintendent, stated that this was one of several machinery that needed to be repaired in order to continue working on the county roads.

Motion carried 5-0 by unanimous consent.

- Item No. 30 Discussion and possible action to purchase 70 air conditioning units for the Comprehensive Energy Assistance Program (CEAP) from Fredrich Conditioning Co., (State Contract 94-246-2111-8) in the amount of \$19,860.00. [Account # 911-4227-7018 Heating and Cooling]

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 31 Discussion and possible action to hire Laredo Striping, Inc. to stripe center line at Espejo Molina Road from U.S. 83 to El Cenizo approximately four (4) miles in the amount of \$23,750.00. [Account # 661-7501-8621-01 Espejo Molina Road]

Cmr. Velasquez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 32 Discussion and possible action to purchase an ice machine for the Law Enforcement Center in the amount of \$6,581.79 from R & M Refrigeration. [Account # 624-8000-8601-3 Construction in Progress Law Enforcement Building]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 33 Discussion and possible action to purchase production equipment/computers for the Management Information Systems Department from the following vendors:
Equipment: Vendor: Amount:

1. Laptop Computer M-855 System	Voodoo Entertainment System	\$ 3,970.73
2. Production Monitors	Paradigm Multimedia	\$ 5,648.00
3. Computer PC/Software	B & H Photo-Video, Inc.	\$10,594.95
4. Computer PC/Software	GovConnection	\$ 3,312.00
		\$23,525.68

[Account # 660-0101-8801 Capital Outlay Certificates of Obligation Series 2003]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 34 Discussion and possible action to purchase Harley Davidson accessories, emergency lights and radar systems in the amount of \$11,531.20 from Laredo Harley Davidson for the Webb County Sheriff's Department. [Account # 168-2001-8801 Capital Outlay Sheriff Forfeiture Fund]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 35 Discussion and possible action to obtain the services of Rene Ornes in the amount of \$4,450.00 for repairs to the Floyd Head Start Center (Building 1) roof. Project cost subject to change should unforeseen damages arise. [Account # 001-0105-6032-04 (Storm Damage 06/03)]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 36 Discussion and possible action to approve the payment of over time hours accrued by Sheriff Department employees due to the October 13, 2003 flood. [Account # 001-0105-6032-05 (Flood Damage 10/03)]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion with discussion.

Cmr. Velasquez stated that the total amount for this would be \$661.32.

Motion carried 5-0 by unanimous consent.

- Item No. 37 Discussion and possible action to approve the replacement of a digital camera which was stolen from the Webb County Self-Help Center on or about August 14, 2003 at a cost not to exceed \$752.00. [Account # 001-0105-9201 Claims Paid]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Velasquez motioned to include Addendum Item No. 1 with Item No. 39, No. 40, No. 41 and No. 43 for Executive Session. Judge Bruni seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move into Executive Session. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (3:50 pm to 5:43 pm)

Judge Bruni reconvened meeting and stated that no action was taken while in Executive Session.

- Item No. 39 Discussion and possible action regarding the property damage and bodily injury claims of Antonio Garza resulting from a motor vehicle accident which occurred on or about December 30, 2003 involving a Sheriff's Department employee. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]
- Item No. 40 Discussion and possible action regarding the property damage claim of Chad E. Johnson resulting from a motor vehicle accident which occurred on or about February 5, 2004 involving a Building Maintenance employee. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]
- Item No. 41 Discussion and possible action regarding the property damage claim of Cassandra C. Garza resulting from a motor vehicle accident which occurred on or about February 11, 2004 involving a Self-Help Center employee. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Homero Ramirez, County Attorney, recommended that the court authorize settlement along the parameters discussed in Executive Session for Item No. 39, No. 40 and No. 41.

Cmr. Gutierrez motioned to accept County Attorney's recommendation for Item No. 39, No. 40 and No. 41. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 43 Discussion and possible action regarding Balt Ramos, Inc. debt to the County from underpayment of utilities for fiscal year 2001, 2002, 2003 and debt from Final Order reference Cause # 2000-CVF-000398-3. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071(Consultation with Attorney)]

Mr. Homero Ramirez, County Attorney, requested that the Court defer this item.

Cmr. Vasquez motioned to defer item. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Addendum

- Item No. 1 Discussion and possible action relating to Texas Commission on Jail Standards' referral to the Texas Attorney General of Webb County's remedial order concerning staffing and population at the Webb County Jail for enforcement in a Travis County District Court. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].

Mr. Homero Ramirez, County Attorney, requested authorization to submit a letter of good faith effort to cooperate to the Texas Attorney General and the Texas Commission on Jail Standards.

Cmr. Gutierrez motioned to authorize submission of letter of good faith effort to cooperate as per Mr. Homero Ramirez's request. Cmr. Vasquez seconded the motion with discussion.

Mr. Ramirez stated that this needed to be done in order to avoid threat of litigation towards Webb County.

Motion carried 5-0 by unanimous consent.

- Item No. 44 Adjournment

Cmr. Vasquez motioned to adjourn meeting. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.